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KERALA GAZETTE

EXTRAORDINARY

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GOVERNMENT OF KERALA

Election Department

NOTIFICATION

No. 6846/EL1/79/Elec. *Dated, Trivandrum, 5th October,* 1979.

Notification No. 56/79 dated 28 September 1979 of the Election Commission of India is re-published.

By order,

J. S. Jesudhasan,
Special Secretary (Home) &
Chief Electoral Officer.

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33/3714/MC.

ELECTION COMMISSION OF INDIA

New Delhi
Dated, 28 September, 1979 /
6 *Asvina*, 1901 (*Saka*)

NOTIFICATION

S. O. .—In pursuance of paragraph 17 of the Election Symbols (Reservation and Allotment) Order, 1968, and in supersession of its notification No. 56/78 dated 25 January 1978 published as S.O. 40 (E) in the Gazette of India, Extraordinary, Part II, Section 3 (ii) dated 25 January 1978 and notification No. 56/79(4) dated 23 May, 1979 published as S. O. 300 (E) in the Gazette of India, Extraordinary, Part II, Section 3 (ii) dated 23 May, 1979 and as amended from time to time, the Election Commission hereby specifies—

(a) the National Parties and the symbols respectively reserved for them, in Table 1;

(b) the State Parties, the State or States in which they are State Parties and the symbols respectively reserved for them in such State or States in Table 2;

(c) the un-recognised registered political parties and the State or States in which they function in Table 3; and

(d) the free symbols for each State in Table 4.

TABLE 1

	National Parties	*Symbols Reserved*
	(1)	(2)
1.	Indian National Congress	Calf and Cow
2.	Indian National Congress (I)	Hand
3.	Communist Party of India	Ears of Corn and Sickle
4.	Communist Party of India (Marxist)	Hammer, Sickle and Star
5.	Janata Party	Haldhar within wheel (Chakra Haldhar)
6.	Janata Party (Secular)	Farmer Ploughing the Field (Khet Jotata Hua Kisan)

TABLE 2

Name of the State	Name of the State Party	Symbol Reserved
(1)	(2)	(3)
Assam	Plains Tribals Council of Assam	Cultivator cutting crop
Haryana	Vishal Haryana	Rising Sun
Jammu and Kashmir	Jammu and Kashmir National Conference	Plough
Kerala	1. All India Muslim League	Boat
	2. Kerala Congress	Horse
	3. Kerala Congress (Pillai Group)	Coconut Tree bearing Fruits
	4. Muslim League	Ladder
	5. Revolutionary Socialist Party	Spade and Stoker
Maharashtra	Peasants' and Workers' Party	Cart
Manipur	1. Kuki National Assembly	Two Leaves
	2. Manipur People's Party	Bicycle
Meghalaya	1. All Party Hill Leaders' Conference	Flower
	2. Hill State People's Democratic Party	Lion
	3. Public Demands Implementation Convention	Spade
Nagaland	1. National Convention of Nagaland	Naga
	2. United Democratic Front	Cock
Punjab	Shiromani Akali Dal	Scales
Sikkim	1. Sikkim Congress (R)	Rising Sun
	2. Sikkim Scheduled Castes League	Chepcha
Tamil Nadu	1. All India Anna Dravida Munnetra Kazhagam	Two Leaves
	2. Dravida Munnetra Kazhagam	Rising Sun

(1)	(2)	(3)
Tripura	Tripura Upajati Juba Samiti	Two Leaves
West Bengal	1. All India Forward Bloc	Lion
	2. Revolutionary Socialist Party	Spade and Stoker
Arunachal Pradesh	People's Party of Arunachal	Mithun
Goa, Daman and Diu	Maharashtrawadi Gomantak	Lion
Mizoram	People's Conference	Scales
Pondicherry	1. All India Anna Dravida Munnetra Kazhagam	Two Leaves
	2. Dravida Munnetra Kazhagam	Rising Sun

TABLE—3

Name of the un-recognised registered Political party	*State/States in which it functions*
(1)	(2)
1. Akhil Bharatiya Ram Rajya Parishad	1. Andhra Pradesh 2. Bihar 3. Gujarat 4. Haryana 5. Himachal Pradesh 6. Jammu and Kashmir 7. Madhya Pradesh 8. Maharashtra 9. Orissa 10. Punjab 11. Rajasthan 12. Uttar Pradesh 13. West Bengal and 14. Delhi

(1)	(2)
2. All India Labour Party	Punjab
3. Bharatiya Socialist Party	1. Andhra Pradesh 2. Bihar 3. Gujarat 4. Himachal Pradesh 5. Kerala 6. Madhya Pradesh 7. Maharashtra 8. Orissa 9. Rajasthan 10. Uttar Pradesh 11. West Bengal and 12. Delhi
4. Jharkhand Party	1. Bihar 2. Orissa and 3. West Bengal
5. Muslim Majlis	Uttar Pradesh
6. Revolutionary Communist Party of India	1. Assam 2. Gujarat and 3. West Bengal
7. Republican Party of India	1. Bihar 2. Haryana 3. Maharashtra 4. Punjab 5. Tamil Nadu 6. Uttar Pradesh 7. West Bengal 8. Delhi and 9. Pondicherry
8. Republican Party of India (Khobragade)	1. Andhra Pradesh 2. Gujarat 3. Haryana 4. Karnataka 5. Kerala 6. Madhya Pradesh 7. Maharashtra 8. Punjab 9. Tamil Nadu 10. Uttar Pradesh and 11. Delhi

(1)	(2)
9. Socialist Unity Centre of India	1. Assam 2. Bihar 3. Haryana 4. Kerala 5. Orissa 6. Uttar Pradesh 7. West Bengal and 8. Delhi
10. Shiva Sena	Maharashtra
11. Shoshit Samaj Dal (Akhil Bharatiya)	1. Bihar 2. Madhya Pradesh 3. Uttar Pradesh and 4. West Bengal
12. Sikkim Prajatantra Congress	Sikkim
13. Tripura State Congress for Democracy	Tripura

TABLE—4

Name of State	*Free Symbols*
(1)	(2)
1. Andhra Pradesh	1. Bicycle 2. Boat 3. Camel 4. Elephant 5. Flaming Torch 6. Lion 7. Pot 8. Railway Engine 9. Rising Sun 10. Scales 11. Sparrow 12. Swastik within a circle 13. Tiger 14. Tractor 15. Two Leaves

(1)	(2)
2. Assam	1. Bicycle 2. Boat 3. Bucket 4. Camel 5. Car 6. Elephant 7. Hurricane Lamp 8. Jug 9. Lion 10. Pot 11. Railway Engine 12. Scales 13. Spade 14. Spade and Stoker 15. Sparrow 16. Tiger 17. Two Leaves 18. Umbrella
3. Bihar	1. A woman carrying basket on her head 2. Bicycle 3. Boat 4. Bow and Arrow 5. Bucket 6. Cart 7. Charkha 8. Chair 9. Camel 10. Car 11. Cultivator innowing grain 12. Drum 13. Elephant 14. Fish 15. Horse and Rider 16. Horse 17. Ladder 18. Lion 19. Lotus 20. Lock and Key 21. Pot 22. Pigeon 23. Railway Engine

(1)	(2)
	24. Rising Sun 25. Scales 26. Spade and Stoker 27. Swastic within a circle 28. Two Leaves 29. Umbrella 30. Woman
4. Gujarat	1. Bicycle 2. Boat 3. Camel 4. Elephant 5. Flaming Torch 6. Horse 7. Lion 8. Pot 9. Railway Engine 10. Rising Sun 11. Scales 12. Sparrow 13. Tractor 14. Two Leaves
5. Haryana	1. Bicycle 2. Boat 3. Bow and Arrow 4. Camel 5. Cart 6. Chair 7. Elephant 8. Flower 9. Goat 10. Horse and Rider 11. Hurricane Lamp 12. Lion 13. Ladder 14. Pigeon 15. Railway Engine 16. Scales 17. Spade and Stoke. 18. Tractor 19. Two Leaves

(1)	(2)
6. Himachal Pradesh	1. Bicycle 2. Boat 3. Bow and Arrow 4. Lion 5. Railway Engine 6. Rising Sun 7. Scales 8. Sparrow 9. Two Leaves
7. Jammu & Kashmir	1. A pair of Pigeons 2. Bicycle 3. Boat 4. Car 5. Cart 6. Camel 7. Chair 8. Flaming Torch 9. Horse and Rider 10. Hurricane Lamp 11. Ink Pot and Pen 12. Lock and Key 13. Rising Sun 14. Railway Engine 15. Spade 16. Ship 17. Two Leaves 18. Tractor 19. Watch
8. Karnataka	1. A pair of Pigeons 2. Bicycle 3. Boat 4. Camel 5. Cart 6. Car 7. Charkha 8. Cock 9. Deer 10. Drum 11. Elephant 12. Flower 13. Horse 14. Lion

(1)	(2)
	15. Ladder
	16. Pot
	17. Peacock
	18. Railway Engine
	19. Rising Sun
	20. Scales
	21. Spade
	22. Sparrow
	23. Tractor
	24. Two Leaves
	25. Tiger
	26. Umbrella
9. Kerala	1. A pair of Pigeons
	2. Bicycle
	3. Camel
	4. Charkha
	5. Deer
	6. Elephant
	7. Flaming Torch
	8. Flower
	9. Lotus
	10. Pot
	11. Peacock
	12. Railway Engine
	13. Rising Sun
	14. Scales
	15. Sparrow
	16. Swastick within a Circle
	17. Spade
	18. Two Leaves
	19. Tiger
	20. Umbrella
10. Madhya Pradesh	1. Bicycle
	2. Bow and Arrow
	3. Boat
	4. Camel
	5. Car
	6. Chair
	7. Cart
	8. Clock
	9. Drum
	10. Elephant

(1)	(2)
	11. Fish 12. Flaming Torch 13. Flower 14. Horse and Rider 15. Hand Pump 16. Ink pot and Pen 17. Jug 18. Lion 19. Lock and Key 20. Ladder 21. Pot 22. Peacock 23. Railway Engine 24. Rising Sun 25. Radio 26. Spade and Stocker 27. Swastick within a circle 28. Sparrow 29. Spectacles 30. Sewing Machine 31. Two Leaves 32. Tractor 33. Two Swords and a Shield 34. Umbrella
11. Maharashtra	1. Aeroplane 2. Bicycle 3. Boat 4. Bucket 5. Basket containing vegetables 6. Camel 7. Cultivator cutting crop 8. Coconut tree bearing fruits 9. Cock 10. Car 11. Charkha 12. Chair 13. Cultivator winnowing grain 14. Clcok 15. Drum 16. Deer 17. Elephant 18. Eagle about to fly

(1)	(2)
	19. Fish 20. Flaming Torch 21. Goat 22. Horse 23. Hurricane Lamp 24. Hand Pump 25. Ink Pot and Pen 26. Jug 27. Lion 28. Ladder 29. Lotus 30. Lock and Key 31. Mug 32. Pot 33. Pigeon 34. Peacock 35. Railway Engine 36. Rising Sun 37. Radio 38. Scales 39. Sparrow 40. Swastick within a Circle 41. Spade and Stocker 42. Spectacles 43. Sewing Machine 44. Two Leaves 45. Two Swords and a Shield 46. Tiger 47. Tractor 48. Two cultivators returning after cutting crop 49. Umbrella 50. Woman
12. Manipur	1. Camel 2. Elephant 3. Eagle about to fly 4. Flower 5. Horse 6. Lion 7. Pot 8. Railway Engine 9. Scales 10. Spade 11. Sparrow 12. Umbrella

(1)	(2)
13. Meghalaya	1. Boat
	2. Dao
	3. Drum
	4. Hurricane Lamp
	5. Ladder
	6. Pot
	7. Rising Sun
	8. Scales
	9. Sparrow
	10. Sewing Machine
	11. Two Leaves
14. Nagaland	1. A pair of Pigeons
	2. Bow and Arrow
	3. Elephant
	4. Flaming Torch
	5. Hornbill
	6. Log Drum
	7. Mug
	8. Tiger
15. Orissa	1. Aeroplane
	2. Bicycle
	3. Boat
	4. Bow and Arrow
	5. Camel
	6. Dam
	7. Drum
	8. Elephant
	9. Horse
	10. Lion
	11. Pot
	12. Railway Engine
	13. Two Leaves
16. Punjab	1. Bicycle
	2. Bow and Arrow
	3. Boat
	4. Camel
	5. Drum
	6. Eagle about to fly
	7. Elephant
	8. Flaming Torch

(1)	(2)
	9. Horse and Rider 10. Hand Pump 11. Hurricane Lamp 12. Lion 13. Lock and Key 14. Plough 15. Pot 16. Railway Engine 17. Rising Sun 18. Swastik within a circle 19. Spade and Stoker 20. Tractor 21. Two Leaves 22. Umbrella
17. Rajasthan	1. Bicycle 2. Boat 3. Camel 4. Cock 5. Car 6. Cultivator cutting crop 7. Deer 8. Elephant 9. Flaming Torch 10. Horse 11. Lion 12. Ladder 13. Pot 14. Rising Sun 15. Railway Engine 16. Scales 17. Sparrow 18. Two Leaves 19. Tractor 20. Umbrella
18. Sikkim	1. Bicycle 2. Bow and Arrow 3. Clock 4. Car 5. Drum 6. Deer 7. Elephant 8. Flower 9. Goat

(1)	(2)
	10. Horse 11. Hurricane Lamp 12. Pot 13. Scales 14. Tiger 15. Two Leaves 16. Umbrella
19. Tamil Nadu	1. Aeroplane 2. Bicycle 3. Boat 4. Camel 5. Car 6. Clock 7. Cock 8. Coconut tree bearing fruits 9. Elephant 10. Flower 11. Fish 12. Horse 13. Lion 14. Pot 15. Railway Engine 16. Scales 17. Spade 18. Sparrow 19. Swastik within a circle 20. Ship
20. Tripura	1. Bicycle 2. Flaming Torch 3. Horse 4. Lion 5. Pot 6. Rising Sun 7. Scales 8. Spade 9. Sparrow 10. Swastik within a circle 11. Spade and Stoker 12. Two cultivators returning after cutting crop 13. Tiger

(1)	(2)
21. Uttar Pradesh	1. Aeroplane 2. Bicycle 3. Boat 4. Bow and Arrow 5. Camel 6. Car 7. Dam 8. Elephant 9. Fish 10. Flaming Torch 11. Hand Pump 12. Horse and Rider 13. Ladder 14. Lion 15. Pot 16. Railway Engine 17. Rising Sun 18. Scales 19. Sewing Machine 20. Sparrow 21. Swastik within a circle 22. Tractor 23. Two Leaves
22. West Bengal	1. A woman carrying basket on her head 2. A pair of Pigeons 3. Bicycle 4. Bow and Arrow 5. Camel 6. Drum 7. Eagle about to fly 8. Elephant 9. Fish 10. Flaming Torch 11. Hand Pump 12. Horse and Rider 13. Ladder 14. Pot 15. Radio 16. Railway Engine 17. Rising Sun 18. Scales 19. Sewing Machine

(1)	(2)
	20. Ship 21. Swastik within a circle 22. Tractor 23. Two Leaves
23. Andaman & Nicobar Islands	1. Bicycle 2. Boat 3. Rising Sun 4. Scales 5. Two Leaves
24. Arunachal Pradesh	1. Aeroplane 2. A woman carrying basket on her head 3. Boat 4. Bow and Arrow 5. Bucket 6. Elephant 7. Fish 8. Flaming Torch 9. Hornbill 10. Horse 11. Hurricane Lamp 12. Ink Pot and Pen 13. Pot 14. Scales 15. Spade 16. Tiger 17. Two Leaves 18. Two Swords and a Shield 19. Umbrella
25. Chandigarh	1. Bicycle 2. Boat 3. Bow and Arrow 4. Camel 5. Eagle about to fly 6. Elephant 7. Flaming Torch 8. Flower 9. Horse 10. Lion 11. Railway Engine 12. Rising Sun 13. Scales 14. Spade 15. Swastik within a circle 16. Tractor 17. Two Leaves

(1)	(2)
26. Dadra and Nagar Haveli	1. Bicycle 2. Elephant 3. Goat 4. Horse 5. Scales 6. Two Leaves
27. Delhi	1. Aeroplane 2. Bicycle 3. Boat 4. Bow and Arrow 5. Camel 6. Elephant 7. Flaming Torch 8. Flower 9. Horse and Rider 10. Ladder 11. Lion 12. Pot 13. Rising Sun 14. Railway Engine 15. Scales 16. Two Leaves 17. Tractor 18. Two swords and a Shield
28. Goa, Daman and Diu	1. Bicycle 2. Boat 3. Camel 4. Cock 5. Car 6. Elephant 7. Fish 8. Flower 9. Horse 10. Ladder 11. Pot 12. Peacock 13. Railway Engine 14. Rising Sun 15. Scales 16. Spade 17. Sparrow 18. Two Leaves 19. Tiger 20. Umbrella

(1)	(2)
29. Lakshadweep	1. Bicycle 2. Boat 3. Camel 4. Elephant 5. Horse 6. Scales 7. Spade 8. Two Leaves
30. Mizoram	1. Bicycle 2. Boat 3. Camel 4. Eagle about to fly 5. Elephant 6. Fish 7. Flaming Torch 8. Lion 9. Pot 10. Railway Engine 11. Rising Sun 12. Spade 13. Spade and Stoker 14. Sparrow 15. Two Leaves 16. Tiger 17. Umbrella
31. Pondicherry	1. Bicycle 2. Horse and Rider 3. Ladder 4. Lion 5. Railway Engine 6. Scales 7. Spade 8. Sparrow

[No.56/79]

By order,

(Sd.)
K. GANESAN,
Secretary,
Election Commission of India.

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1979

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KERALA GAZETTE

EXTRAORDINARY

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SECRETARIAT OF THE KERALA LEGISLATURE

NOTIFICATION

No. 7037/LA4/79. *Dated, Trivandrum, 5th October, 1979.*

The Kerala Cashew Workers Relief and Welfare Fund Bill, 1979 together with the Statement of Objects and Reasons, the Financial Memorandum and the Memorandum regarding Delegated Legislation is published, under Rule 69 of the Rules of Procedure and Conduct of Business in the Kerala Legislative Assembly.

DR. R. PRASANNAN,
Secretary,
Legislative Assembly.

PRINTED AND PUBLISHED BY THE S. G. P. AT THE GOVERNMENT PRESS, TRIVANDRUM, 1979.

33/3722/MC

Fifth Kerala Legislative Assembly

Bill No. 134

THE KERALA CASHEW WORKERS RELIEF AND WELFARE FUND BILL, 1979

A

BILL

to provide for the constitution of a fund to grant relief to, and to promote the welfare of, employees in cashew factories in the State of Kerala.

Preamble.—WHEREAS it is expedient to provide for the constitution of a fund to grant relief to, and to promote the welfare of employees in cashew factories in the State of Kerala;

BE it enacted in the Thirtieth Year of the Republic of India as follows:—

1. *Short title, extent, commencement and application.*—(1) This Act may be called the Kerala Cashew Workers Relief and Welfare Fund Act, 1979.

(2) It extends to the whole of the State of Kerala.

(3) It shall come into force on such date as the Government may, by notification in the Gazette, appoint.

(4) It shall apply to all cashew factories registered and licensed in the State of Kerala under the Factories Act, 1948 (Central Act 63 of 1948).

2. *Definitions.*—In this Act unless the context otherwise requires,—

(a) "Board" means the Kerala Cashew Workers Relief and Welfare Fund Board constituted under section 7;

(b) "contribution" means the contribution payable by an employer or employee under the scheme;

(c) "cashew factory" means a factory wherein processing of cashewnuts is being carried on and which is registered and licensed under the Factories Act, 1948 (Central Act 63 of 1948);

(d) "employer" means any person who employs, whether directly or through another person or whether on behalf of himself or any other person, one or more employees and includes any person who has a licence for the construction or extension of a cashew factory under the Factories Act, 1948 (Central Act 63 of 1948) and the rules made thereunder;

(e) "employee" means any person who is employed in any cashew factory for wages for processing cashewnuts and who gets his wages directly or indirectly from the employer and includes—

(i) any person employed by or through a contractor or through an agent in or in connection with the processing of cashewnuts; and

(ii) clerical and other staff employed in connection with the processing of cashewnuts;

(f) "Fund" means the Kerala Cashew Workers Relief and Welfare Fund established under the scheme;

(g) "member" means any employee who contributes to the fund;

(h) "processing", with reference to cashewnuts, means loading, unloading, transporting, stacking, unstacking, soaking, roasting, shelling, frying, peeling, grading, filling, packing or otherwise treating or adapting cashewnuts, with a view to their use, delivery, sale or other disposal and includes work connected with the maintenance of processed cashewnuts;

(i) "scheme" means the scheme framed under this Act;

(j) "State" means the State of Kerala;

(k) "wages" means all remuneration paid or payable to an employee for work done or services rendered by him and includes leave and holiday wages paid or payable to him under any law or agreement for the time being in force, but does not include overtime allowance, bonus and commission.

3. *Kerala Cashew Workers Relief and Welfare Fund*.—(1) The Government may, by notification in the Gazette, frame a scheme to be called the Kerala Cashew Workers Relief and Welfare Fund Scheme for the establishment of a Fund under this Act and there shall be established, as soon as may be, after the framing of the scheme a Fund to be called the Kerala Cashew Workers Relief and Welfare Fund, in accordance with the provisions of this Act and the scheme.

(2) There shall be credited to the Fund—

(a) the contributions to be paid by employers and employees under section 5;

(b) any voluntary donations;

(c) grants or advances made by the Central Government or the Government of Kerala or any local authority; and

(d) any other amount which, under the provisions of the scheme, shall be credited to the Fund.

(3) The Fund shall vest in, and be administered by, the Board.

(4) Subject to the provisions of this Act the scheme may provide for all or any of the matters specified in the Schedule.

(5) The scheme shall be laid, as soon as may be, after it is framed, before the Legislative Assembly while it is in session for a total period of fourteen days which may be comprised in one session or in two successive sessions and if before the expiry of the session in which it is so laid or the session immediately following, the Legislative Assembly makes any modification in the scheme, the scheme shall thereafter have effect only in such modified form; so however that any such modification shall be without prejudice to the validity of anything previously done under the scheme.

4. *Purposes for which Fund may be expended.*—Subject to the provisions of this Act and the scheme, the Fund shall be expended for the following purposes, namely:—

(a) payment of relief wages to employees in cashew factories when there is no work in those factories; and

(b) payment of such other amount as may be specified in the scheme.

5. *Contribution and matters which may be provided for in the scheme.*—(1) The contribution which shall be paid by an employer to the Fund, shall be at the rate of twenty rupees for every twenty-five kilograms of cashewnut kernels processed within the State.

(2) The contribution which shall be paid by an employee shall be at the rate of one rupee for every day of work done by him in the cashew factory.

(3) The employees contribution shall be deducted by the employer from the wages payable and remitted to the Fund along with the employer's share before the date specified in section 9.

(4) Where the amount of contribution payable under this Act involves a fraction of a rupee, the scheme may provide for rounding off of the fraction to the nearest rupee, half-a-rupee or quarter of a rupee.

6. *Modification of scheme.*—(1) The Government may, by notification in the Gazette, add to, amend or vary the scheme either prospectively or retrospectively.

(2) Every notification under sub-section (1) shall be laid, as soon as may be after it is issued, before the Legislative Assembly, while it is in session for a total period of fourteen days which may be comprised in one session or in two successive sessions and if before the expiry of the session in which it is so laid or the session immediately following, the Legislative Assembly makes any modification in the notification or decides that the notification should not be issued, the notification shall thereafter have effect only in such modified form or be of no effect as the case may be, so however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that notification.

7. *Constitution of Board.*—(1) The Government may, by notification in the Gazette, constitute, with effect from such date as may be specified therein,

a Board to be called the Kerala Cashew Workers Relief and Welfare Fund Board for the administration of the Fnnd and to supervise or carry out the activities financed from the Fund.

(2) The Board shall be a body corporate by the name aforesaid having perpetual succession and a common seal and shall by the said name sue and be sued.

(3) The Board shall consist of such number of Directors as may be appointed by the Government and they shall be chosen in such manner as may be provided for in the scheme:

Provided that the Board shall inclnde an equal number of Directors representing the Government, the employers and the employees.

(4) One of the Directors of the Board shall be appointed by the Government as its Chairman.

(5) The Chairman shall exercise such powers and perform such functions as may be specified in the scheme.

(6) The Board shall elect from among its members a Vice-Chairman who shall exercise such powers and perform such functions of the Chairman as may be specified in the scheme.

(7) The Government shall publish in the Gazette the names of the Chairman, the Vice-Chairman and the other Directors of the Board.

(8) The Board shall administer the Fund vested in it in such manner as may be specified in the scheme.

8. *Appointment of Officers.*—(1) The Government may appoint a Chief Executive Officer and as many Inspectors as they consider necessary to assist the Chief Executive Officer in the exercise of his powers and the discharge of his duties.

(2) The Board may, with the previous approval of the Government, appoint such officers and other employees as it may consider necessary for assisting it in the administration of the Fnnd.

(3) The method of recruitment, salary and allowances, discipline and other conditions of service of the Chief Executive Officer and the Inspectors shall be such as may be specified by the Government and the method of recrnitment, salary and allowances, discipline and other conditions of service of the officers and other employees appointed by the Board shall be such as may be specified by the Board with the previous approval of the Government.

9. *Duty of employer to file return.*—Every employer shall before the 10th of every month file a return showing the details of contribution paid into the fund, in such manner as may be specified in the scheme.

10. *Determination of amounts due from employers.*—(1) The Chief Executive Officer or any Inspector authorised by him in this behalf may, by order,

determine the amounts due from any employer under the provisions of this Act or of the scheme and for this purpose may conduct such enquiry as he may deem necessary.

(2) The Officer conducting the enquiry under sub-section (1) shall, for the purpose of such enquiry, have the same powers as are vested in a Civil Court under the Code of Civil Procedure, 1908, when trying a suit, in respect of the following matters, namely:—

(a) enforcing the attendance of any person and examining him on oath;

(b) requiring the discovery and production of documents;

(c) receiving evidence on affidavit;

(d) issuing commissions for the examination of witnesses;

(3) Any enquiry under this section shall be deemed to be a judicial proceeding within the meaning of sections 193 and 228, and for the purposes of section 196, of the Indian Penal Code, 1860 (Central Act 45 of 1860).

(4) No order determining the amount due from any employer shall be made under sub-section (1) unless the employer has been given a reasonable opportunity of being heard.

(5) Any person aggrieved by an order under sub-section (1) may prefer an appeal to the Government or such other authority as may be specified by the Government in this behalf within sixty days from the date of the receipt of the order, and the decision of the Government or such other authority on such appeal shall be final.

11. *Provisional assessment where return is not filed.*—If the employer fails to submit the return as required by section 9, the Chief Executive Officer or the Inspector authorised by him in this behalf may provisionally determine the amount due from that employer to the Fund:

Provided that no provisional assessment shall be made final till the party is given an opportunity of being heard.

12. *Mode of recovery of money due from employers.*—Any amount due from the employer in pursuance of the provisions of this Act or the scheme may, if the amount is in arrears, be recovered in the same manner as an arrear of land revenue.

13. *Penalties.*—(1) Whoever for the purpose of avoiding any payment to be made by himself under this Act or under the scheme or of enabling any other person to avoid such payment knowingly makes or causes to be made any false statement or false representation shall be punishable with imprisonment for a term which may extend to six months, or with fine which may extend to one thousand rupees, or with both.

(2) Whoever contravenes or makes default in complying with any of the provisions of this Act or of the scheme shall, if no other penalty is elsewhere provided by or under this Act for such contravention or non-compliance, be punishable with imprisonment for a term which may extend to six months, or with fine which may extend to one thousand rupees, or with both.

14. *Enhanced punishment for default in payment of employees' contributions already deducted.*—(1) Whoever makes default in the payment of the employees' share of the contribution to the Fund after having deducted it from the wages of the employees in accordance with the provisions of this Act or the Scheme, shall be punishable with imprisonment for a term which may extend to one year, but which shall not be less than three months, and with fine which may extend to four thousand rupees.

(2) Notwithstanding anything contained in the Code of Criminal Procedure, 1973 (Central Act 2 of 1974), an offence under sub-section (1) shall be cognizable.

15. *Enhanced punishment for second or subsequent offence.*—Whoever, having been convicted by court of an offence punishable under this Act commits the same offence again, shall be punishable for every such subsequent offence with imprisonment for a term which may extend to one year, but which shall not be less than three months, and with fine which may extend to four thousand rupees.

16. *Offences by companies.*—Where an offence under this Act has been committed by a company, every person who at the time the offence was committed was in charge of, and was responsible to, the Company for the conduct of the business of the Company, as well as the Company shall be deemed to be guilty of the offence and shall be liable to be proceeded against and punished accordingly:

Provided that nothing contained in this sub-section shall render any such person liable to any punishment if he proves that the offence was committed without his knowledge or that he exercised all due diligence to prevent the commission of such offence.

(2) Notwithstanding anything contained in sub-section (1) where an offence under this Act has been committed with the consent or connivance of, or is attributable to any neglect on the part of any Director, Manager, Secretary, or other officer of the Company such Director Manager, Secretary or other officer shall also be deemed to be guilty of that offence and shall be liable to be proceeded against and punished accordingly.

Explanation.—For the purposes of this section—

(a) "company" means any body corporate and includes a firm or other association of individuals; and

(b) "director", in relation to a firm, means a partner in the firm.

17. *Cognisance of offences.*—No Court shall take cognisance of any offence punishable under this Act except on a report in writing of the facts constituting such offence made with the previous sanction of the Government or such other authority as may be specified in this behalf by the Government, by the Chief Executive Officer or any Inspector appointed under this Act.

18. *Power to order inquiry.*—(1) The Government may, at any time, appoint any person to inquire into the working of the Board and to submit a report to the Government.

(2) The Board shall give the person so appointed all facilities for the proper conduct of the inquiry and furnish to him such documents, accounts or information in the possession of the Board as he may require.

19. *Power to supersede the Board.*—(1) If, on consideration of the report under section 18 or otherwise, the Government are of opinion that the Board has persistently made default in the performance of the duties imposed on it by or under the provisions of this Act or the scheme or has exceeded or abused its powers, the Government may, by notification in the Gazette, supersede the Board for such period not exceeding six months as may be specified in the notification:

Provided that, before issuing a notification under this sub-section, the Government shall give a reasonable opportunity jto the Board to show cause why it should not be superseded and shall consider the explanations and objections, if any, of the Board.

(2) Upon the publication of a notification under sub-section (1), —

(a) all the members of the Board shall, as from the date of such publication, vacate their offices as such members;

(b) all the powers and duties which may be exercised or performed by the Board shall, during the period of supersession, be exercised or performed by such officer or officers as may be specified in the notification;

(c) all funds and other properties vested in the Board shall, during the period of supersession, vest in the Government.

(3) On the expiration of the period of supersession specified in the notification issued under sub-section (1), the Government shall reconstitute the Board in the manner provided in section 7.

20. *Power to recover damages.*—Where an employer makes default in the payment of any contribution due to the Fund under this Act the Government may recover from the employer damages not exceeding twenty-five per cent of the amount of arrears as they may think fit to impose.

21. *Bar of benefits under Industrial Disputes Act*, 1947.—Any employee who is paid relief wages under this Act shall not be entitled to claim the compensation, if any, payable under Chapter VA of the Industrial Disputes Act, 1947 (Central Act 14 of 1947), for the days on which such relief wages have been paid.

22. *Bar of Jurisdiction of Civil Courts.*—No Civil Court shall have jurisdiction to settle, decide or deal with any question or to determine any matter which is by or under this Act required to be settled, decided or dealt with or to be determined by the Government or the Board or the Chief Executive Officer or any Inspector.

23. *Directors of the Board etc., to be public servants.*—Every Director of the Board and every officer or other employee appointed under this Act shall be deemed to be a public servant within the meaning of section 21 of the Indian Penal Code, 1860 (Central Act 45 of 1860).

24. *Protection of actions taken in good faith.*—No suit, prosecution or other legal proceedings shall lie against the Government or the Board or any officer or other person in respect of anything which is in good faith done or intended to be done under this Act or the scheme.

25. *Power to remove difficulties.*—If any difficulty arises, in giving effect to the provision of this Act or of the Scheme, the Government may, by order, do anything not inconsistent with such provisions which appears to them to be necessary or expedient for the purpose of removing the difficulty.

SCHEDULE

[*See* sub-section (4) of section 3]

Matters for which provisions may be made in the scheme

1. The time and manner in which contributions shall be made to the Fund by the employers.
2. The payment by the employers of sums of money as may be necessary to meet the cost of administering the Fund and the rate at which and the manner in which the payment shall be made.
3. The constitution of any Committee for assisting the Board.
4. The manner in which accounts shall be kept, the investment of money belonging to the Fund in accordance with any direction issued or condition specified by the Government, the preparation of the budget, the audit of accounts and the submission of reports to the Government.
5. The conditions under which the Fund may be expended for payment of relief wages to the workers during the period of closure of cashew factories.

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Government of Kerala
1979

Reg. No. KL/TV/12

KERALA GAZETTE

EXTRAORDINARY

PUBLISHED BY AUTHORITY

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GOVERNMENT OF KERALA

Water and Transport (Transport B) Department

DECLARATION

No. 17224/TB2/79/W&T. *Dated, Trivandrum, 27th September* 1979.

Whereas in exercise of the powers conferred by clause (1) of Article 258 of the Constitution, the President has, in his notification No. 2/4/63/Judl. II dated 31-5-1963 entrusted the Government of Kerala, with their consent the functions of the Central Government, under the Kerala Land Acquisition Act, 1961 (Act 21 of 1962), in relation to acquisition of land for the purpose of the Union in this State ;

And whereas under subsection (4) of Section 19 of the said Act the Government of Kerala have directed that in view of the urgency of the case the provisions of section 5 of the Act shall not apply to the lands specified in the schedule below ;

And whereas the Government are satisfied that the said lands have to be acquired for a public purpose ;

The Government of Kerala hereby declare under section 6 of the Act that the lands specified in the Schedule below and measuring 0.0271 Hectare be the same a little more or less, are needed for a public

purpose, to wit for doubling rail track between Ollur and Trichur Railway Stations and under Section 7 of the Act direct the Special Tahsildar (LA) Railways, Trichur-3 to take order for the acquisition o the lands. Further, under subsection (1) of section 19 of the Act the Government direct that the Collector may take possession of the lands on the expiry of fifteen days from the date of publication of the notice mentioned in subsection (1) of section 9 of the Act.

A plan of the lands is kept in the office of the Special Tahsildar (LA), Railways, Trichur and may be inspected at any time during office hours.

ഭരണഘടന 258-ാം വകുപ്പ് (1)-ാം ഖണ്ഡത്താൽ നൽകപ്പെട്ട അധികാരങ്ങളെ വിനിയോഗിച്ച് രാഷ്ട്രപതി, യൂണിയന്റെ ആവശ്യത്തിനായി ഈ സംസ്ഥാനത്ത് ഭൂമി വിലയ്ക്കെടുക്കുന്നത് സംബന്ധിച്ചിടത്തോളം, 1961-ലെ കേരള സ്ഥലമെടുപ്പ് ആക്റ്റ് (1962-ലെ 21-ാം ആക്റ്റ്) പ്രകാരം കേന്ദ്ര ഗവൺമെന്റിന്റെ പ്രവൃത്തികൾ തന്റെ 31-5-1963-ാം തിയതിയിലെ 2/4/63/Judl. II നമ്പർ പരസ്യപ്രകാരം കേരള ഗവൺമെന്റിനെ, ആ ഗവൺമെന്റിന്റെ സമ്മതത്തോടുകൂടി ഭരമേൽപ്പിച്ചിരിക്കയാലും ;

പ്രസ്തുത ആക്റ്റ് 19-ാം വകുപ്പ് (4)-ാം ഉപവകുപ്പുപ്രകാരം കേരള ഗവൺമെന്റ് പ്രസ്തുത സംഗതിയുടെ അടിയന്തിരസ്ഥിതി പരിഗണിച്ച്, ആക്റ്റ് 5-ാം വകുപ്പിലെ വ്യവസ്ഥകൾ താഴെ പട്ടികയിൽ വിവരിച്ചിട്ടുള്ള ഭൂമിക്ക് ബാധകമല്ലെന്ന് നിർദ്ദേശിക്കയാലും;

പ്രസ്തുത ഭൂമി ഒരു പൊതുക്കാര്യത്തിനായി വിലയ്ക്കെടുക്കേണ്ടതാണെന്ന് ഗവൺമെന്റിന് ബോദ്ധ്യപ്പെട്ടിരിക്കുന്നതിനാലും ;

കേരള ഗവൺമെന്റ് താഴെ കാണുന്ന പട്ടികയിൽ വിവരിച്ചിട്ടുള്ളതും 0.0271 ഹെക്ടർ വിസ്തീർണ്ണമുള്ളതുമായ ഭൂമി, അത് അത്രതന്നെയോ, അതിൽ അൽപ്പം കുറവോ കൂടുതലോ ആയിരുന്നാലും വേണ്ടതില്ല, ഒരു പൊതുക്കാര്യത്തിന് അതായത് ഒല്ലൂരിനും തൃശ്ശൂരിനും ഇടക്ക് റെയിൽപ്പാത ഇരട്ടിപ്പിക്കുന്നതിന് ആവശ്യമാണെന്ന് ആക്റ്റ് 6-ാം വകുപ്പുപ്രകാരം ഇതിനാൽ പ്രഖ്യാപിക്കുകയും, ആ ഭൂമി വിലയ്ക്കെടുക്കുന്നതിനുള്ള ഉത്തരവ് സ്വീകരിപ്പാൻ ആക്റ്റ് 7-ാം വകുപ്പുപ്രകാരം തൃശ്ശൂർ റെയിൽവെ ലാൻറ് അക്വിസിഷൻ സ്പെഷ്യൽ തഹശീൽദാർ എന്ന ആളോട് നിർദ്ദേശിക്കുകയും ചെയ്യുന്നു. ആക്റ്റ് 9-ാം വകുപ്പ് (1)-ാം ഉപവകുപ്പിൽ പറഞ്ഞിരിക്കുന്ന നോട്ടീസ് പരസ്യപ്പെടുത്തുന്ന തിയതി മുതൽ പതിനഞ്ചു ദിവസം കഴിഞ്ഞാൽ കളക്റ്റർക്ക് ആ ഭൂമി കൈവശപ്പെടുത്താവുന്നതാണെന്നും കൂടി ആക്റ്റ് 9-ാം വകുപ്പ് (1)-ാം ഉപവകുപ്പുപ്രകാരം ഗവൺമെന്റ് നിർദ്ദേശിക്കുകയും ചെയ്യുന്നു.

സ്ഥലത്തിന്റെ പ്ലാൻ തൃശ്ശൂർ റെയിൽവെ ലാൻറ് അക്വിസിഷൻ സ്പെഷ്യൽ തഹശീൽദാർ എന്ന ആളുടെ ആഫീസിൽ സൂക്ഷിച്ചിട്ടുണ്ട്, ആഫീസ് സമയത്ത് എപ്പോഴെങ്കിലും അത് പരിശോധിക്കുകയും ചെയ്യാം.

SCHEDULE

Block No. 130

District—Trichur. Taluk—Trichur.

Village—Chiyyaram.

(The extent given is approximate)

Sl. No.	Sy. No.	Description	Extent Hectare
1	579/2-6	Dry	0.0085
2	581/1-8	do.	0.0080
3	581/5-9	do.	0.0106
		Total	0.0271

By order of the Governor,

P. SANKARAN NAIR,

Additional Secretary.

NOTIFICATION

No. 17224/TB2/79/W&T. *Dated, Trivandrum, 27th September,* 1979.

S.R.O. No. 1134/79.—In exercise of the powers conferred by subsection (1) of section 3 of the Kerala Land Acquisition Act, 1961 (21 of 1962) read with Notification No. 2/4/63/Jdl. II dated the 31st May, 1963 of the President of India, the Government of Kerala hereby omit the lands specified in the schedule below from the schedule to the Notification (1) issued under No. 28296/TB2/78/W&T dated the 30th November, 1978 and published in the Kerala Gazette Extraordinary No. 782 dated the 5th December, 1978.

THE SCHEDULE

(Block No. 130)

District—Trichur. Taluk—Trichur.

Village—Chiyyaram.

Sl. No.	Sy. No.	Description	Extent in Hectare
1	581/2 Part	Dry	0.0735
2	581/4 ,,	,,	0.0175
3	581/6 ,,	,,	0.0280
4	581/7 ,,	,,	0.0063

Explanatory Note

(This is not part of the notification but only to bring out the general purport.)

As the Railway authorities have changed the allignment there is no need for acquiring the lands stated in the schedule above. Hence this notification.

എസ്. ആർ. ഒ. നമ്പർ 1134/79.—1961-ലെ കേരള സ്ഥലമെടുപ്പു ആക്ട് (1962-ലെ 21) 3-ാം വകുപ്പ് (1)-ാം ഉപവകുപ്പും, ഇൻഡ്യൻ പ്രസിഡന്റിന്റെ 1963 മേയ് 31-ാം തീയതിയിലെ 2-4-63/ജൂഡിഷ്യൽ II എന്ന നമ്പർ വിജ്ഞാപനവും ചേർത്തു വായിച്ചപ്രകാരമുള്ള അധികാരങ്ങൾ വിനിയോഗിച്ച്, കേരള സർക്കാർ, 1978 ഡിസംബർ 5-ാം തീയതിയിലെ 782-ാം നമ്പർ അസാധാരണ കേരള ഗസററിൽ പ്രസിദ്ധീകരിച്ചിരുന്ന 1978 നവംബർ 30-ാം തീയതിയിലെ 28296/ററിബി2/78/ഡബ്ല്യു ആൻഡ് ററി എന്ന നമ്പരിൽ പുറപ്പെടുവിച്ച (1)-ാം നമ്പർ വിജ്ഞാപനത്തിന്റെ പട്ടികയിൽനിന്നും താഴെ പട്ടികയിൽ പറഞ്ഞിരിക്കുന്ന ഭൂമിയെ ഇതിനാൽ വിട്ടുകളഞ്ഞിരിക്കുന്നു.

പട്ടിക

(ബ്ലോക്ക് നമ്പർ. 130)

ജില്ല—തൃശൂർ. താലൂക്ക്—തൃശൂർ.

വില്ലേജ്—ചിയ്യാരം.

ക്രമനമ്പർ	സർവ്വേ നമ്പർ	വിവരണം	വിസ്തീർണ്ണം ഹെക്ടർ
1	581/2 ഭാഗം	പുരയിടം	0.0735
2	581/4 ,,	,,	0.0175
3	581/6 ,,	,,	0.0280
4	581/7 ,,	,,	0.0063

വിശദീകരണക്കുറിപ്പ്

ഇത് വിജ്ഞാപനത്തിന്റെ ഒരു ഭാഗമല്ല. എന്നാൽ പൊതുഉദ്ദേശം സൂചിപ്പിക്കുന്നതിനുവേണ്ടിയാണ്. റെയിൽവേ അധികൃതർ അലൈൻമെന്റിൽ മാററം വരുത്തിയിരിക്കുന്നതിനാൽ മേൽ പട്ടികയിൽ പ്രസ്താവിച്ച ഭൂമികൾ അക്വയർ ചെയ്യേണ്ട ആവശ്യമില്ല. അതിനാലാണ് ഈ വിജ്ഞാപനം.

By order of the Governor,
P. SANKARAN NAIR,
Additional Secretary.

PRINTED AND PUBLISHED BY THE S.G.P. AT THE GOVERNMENT PRESS, TRIVANDRUM, 1979.

Government of Kerala
1979

Reg. No. KL/TV/13

KERALA GAZETTE

EXTRAORDINARY

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GOVERNMENT OF KERALA

Public Works and Electricity (D) Department

CANCELLATION NOTIFICATION

No. 38223/D2/79/PW. *Dated, Trivandrum, 28th September 1979.*

The composite notification under Sub section (1) of Section 3 and under subsection (4) of Section 19 of the Kerala Land Acquisition Act, 1961 (Act 21 of 1962) in respect of the land specified in the schedule below which was included in the schedule relating to the acquisition of the land for the formation of South approach to Chettuvai Bridge in NH-17 published by the Government of Kerala as per notification No. 52019/D1/78/PW dated 12-12-1978 at pages 6, 7 and 8 of Extraordinary Kerala Gazette No. 795 dated 12-12-1978 is hereby cancelled.

1961-ലെ കേരള സ്ഥലമെടുപ്പ് ആക്ട് (1962-ലെ 21-ാം ആക്ട്) മൂന്നാം വകുപ്പ് ഒന്നാം ഉപവകുപ്പ് അനുസരിച്ചും പത്തൊമ്പതാം വകുപ്പ് 4-ാം ഉപവകുപ്പ് അനുസരിച്ചും 17-ാം നമ്പർ നാഷണൽ ഹൈവേയിൽ ചേററുവാ പാലത്തിന് തെക്കെ ഭാഗം അപ്രോച്ച് റോഡ് നിർമ്മിക്കുന്നതിന് കേരള സർക്കാരിന്റെ 12-12-1978-ലെ 52019/D1/78/PW നമ്പർ പരസ്യപ്രകാരം 12-12-1978-ലെ 795-ാം നമ്പർ അസാധാരണ ഗസററിൽ 6, 7, 8 എന്നീ

33/3709/V.

പേജുകളിൽ വിജ്ഞാപനം ചെയ്ത പട്ടികയിൽ നിന്ന് താഴെ പട്ടികയിൽ വിവരിക്കുന്ന ഭൂമിയെ പ്രസ്തുത ആക്ടിലെ തുടർന്നുള്ള നടപടികളിൽ നിന്ന് ഇതിനാൽ റദ്ദ് ചെയ്തിരിക്കുന്നു.

SCHEDULE

District — Trichur. Taluk — Chavakkad.

Village—Engandiyoor.

Serial No.	*Survey No.*	*Description*	*Approximate Extent*
23	81/10 Part	Dry	0.0020 Hectare

By order of the Governor,

P. SOUMINI,
Joint Secretary.

PRINTED AND PUBLISHED BY THE S. G. P. AT THE GOVERNMENT PRESS.
TRIVANDRUM, 1979.